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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/30/2001

Peter Larsen

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27045

7590

08/15/2005

ERICSSON INC.  
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EXAMINER

ADHAMI, MOHAMMAD SAJID

ART UNIT

PAPER NUMBER

2662

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/003,937	<b>Applicant(s)</b> LARSEN, PETER	
	<b>Examiner</b> Mohammad S. Adhami	<b>Art Unit</b> 2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 4/4/2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/22/2002</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: On page 14 of the specs, a reference "40<sub>2</sub>" is listed, but there is no such entry in Fig. 5. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: References "60<sub>41</sub>" and "60<sub>42</sub>" are shown in Figure 7, but there are not mentioned in the specifications. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet,

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even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-12, 18-20, 25-28, and 31 rejected under 35 U.S.C. 102(a) as being anticipated by Gorman (International Pub No. WO 99/25098)

Re claim 1:

Gorman has a distribution network (Pg. 3 line 18 "distribution system") including a number of jacks at a customer premises (Pg. 4 line 11 "outlets throughout the customer premises") using ADSL technology to distribute higher and lower frequency signals for broadband and narrowband communications respectively (Pg. 4 lines 19-20 and 26-29 "a local loop...carrying both POTS analog voice signals and high-speed digital data traffic" and "the local loop preferably includes a high-speed digital subscriber line...such as...asymmetric digital subscriber loop"), a splitter filter connected to a jack separating higher

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frequency signals from lower frequency signals (Pg. 7 lines 15-16 and Figure 3 "the POTS splitter...includes a high-pass filter...and a low-pass filter...to separate the different frequency signals"), broadband connected to high frequency port and narrowband connected to low frequency port (Pg.7 lines 16-18 "The high-pass filter...separates the high-speed data...to splitter output/input and the low-pass filter...separates the lower speed POTS signals to output/input" ), and broadband and narrowband access means comprising a number of user interfaces (Pg. 3 lines 26-30 "lower speed POTS signals are distributed throughout the customer premises on the wireless distribution system....[where] the wireless system may also have multiple channels to provide additional POTS signals and distribute lower speed data" Pg. 4 lines 11-12 "the high-speed data is available at outlets throughout the customer premises for connection to computers, computer peripherals, and video display).

Re claim 2:

Gorman has an ADSL network termination (Pg. 12 lines 16-18, 20-23 "the ADSL modem...can also be provided on a network interface card ("NIC") ... as a component of a personal computer...[which] can then terminate the ADSL line")

Re claim 3:

Gorman has an ADSL network termination comprising an ADSL modem and a number of user interfaces (Pg. 12 lines 16-18, 20-23 "the ADSL modem...can also be provided on a network interface card ("NIC") ... as a component of a personal computer...[which] can then terminate the ADSL line"

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and "The ADSL modem...may also have a standalone device providing outputs connected to other computer devices or a network switch, router... or network server...providing access to local area network of computers... peripherals, or video display devices").

Re claim 4:

Gorman has a user interface comprising an Ethernet and ATM interface (Pg. 13 lines 2-7 "If the data carried on the wireline...implements the Ethernet protocol the NIC implements an Ethernet Interface. If the data carried on the wireline distribution networks uses..."ATM"... protocol, the NIC implements an ATM interface.").

Re claim 5:

Gorman has a narrowband access means comprising a separate local area network (Pg. 26-28 "Lower speed POTS signals are distributed throughout the customer premises on the wireless distribution system").

Re claims 6, 20, and 27:

Gorman has a narrowband access means where the network is wireless and comprises a base station (Pg. 3 lines 26-28 "lower speed POTS signals are distributed throughout the customer premises on the wireless distribution system" and Pg. 9 lines 22-24 "a simple consumer cordless telephone system that provides a base unit transmitting and receiving...to receivers such as a cordless...telephone handset").

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Re claim 8:

Gorman has a narrowband access means comprising a POTS interface (Pg. 10 lines 6-7 "to provide a plurality of POTS lines").

Re claim 9:

Gorman has a LAN with an IR and a copper distribution network (Pg. 4 line 22-23 "typically a twisted pair of copper wires providing plain old telephone services ("POTS") and Pg. 9 lines 19-20 "The wireless distributions system...can take many different forms and have different RF interfaces").

Re claim 10:

Gorman has a system that is connected to a PSTN over a cable (Pg.3 lines 20-23 "the customer premises location receives...[data] from the public switched telephone network ("PSTN")").

Re claim 11:

Gorman has an ISDN network over the cable (Pg. 4 lines 24-25 "the local loop...may also provide high-speed communication services such as integrated services digital network ("ISDN")").

Re claim 12:

Gorman has a narrowband access means comprising an ISDN network termination that includes means for converting the ISDN network termination to an interface for connecting a separate local area network (Pg. 13 lines 1-2 "The computer devices...preferably interface the wireline using a NIC of the appropriate network protocol type and Pg. 12 lines 17-22 "a network interface

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card ("NIC") ...as a component of a personal computer...[which] can then terminate the ADSL line and be used as...a standalone device providing outputs connected to...[a] network server providing access to local area network").

Re claims 18, 25, and 31:

Gorman has a distribution network using existing POTS services for distribution of narrowband and broadband services (pg. 4 lines 1-2 "the local loop...is typically a twisted pair of copper wires providing plan old telephone service ("POTS")).

Re claim 19:

Gorman has a distribution network (Pg. 3 line 18 "distribution system") including a number of jacks at a customer premises (Pg. 4 line 11 "outlets throughout the customer premises") to distribute higher and lower frequency signals for broadband and narrowband communications respectively (Pg. 4 lines 19-20 and 26-29 "a local loop...carrying both POTS analog voice signals and high-speed digital data traffic"), broadband and narrowband access means comprising a number of user interfaces, where the broadband access means comprises an ADSL network termination (Pg. 3 lines 26-30 "lower speed POTS signals are distributed thought the customer premises on the wireless distribution system....[where] the wireless system may also have multiple channels to provide additional POTS signals and distribute lower speed data" and Pg. 4 lines 11-12 "the high-speed data is available at outlets throughout the customer premises for connection to computers, computer peripherals, and video display



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drivers" and Pg. 12 lines 16-18, 20-23 "the ADSL modem...can also be provided on a network interface card ("NIC") ... as a component of a personal computer...[which] can then terminate the ADSL line"), a splitter filter connected to a jack separating higher frequency signals from lower frequency signals (Pg. 7 lines 15-16 and Figure 3 "the POTS splitter...includes a high-pass filter...and a low-pass filter...to separate the different frequency signals"), broadband connected to high frequency port and narrowband connected to low frequency port (Pg.7 lines 16-18 "The high-pass filter...separates the high-speed data...to splitter output/input and the low-pass filter...separates the lower speed POTS signals to output/input" ), and a separate network for the narrowband signals (Pg. 26-28 "Lower speed POTS signals are distributed throughout the customer premises on the wireless distribution system").

Re claim 26:

Gorman has a distribution network (Pg. 3 line 18 "distribution system") including a number of jacks at a customer premise (Pg. 4 line 11 "outlets throughout the customer premises") that is connected to a PSTN over a cable (Pg.3 lines 20-23 "the customer premises location receives...[data] from the public switched telephone network ("PSTN")"), a splitter filter connected to a jack separating higher frequency signals from lower frequency signals (Pg. 7 lines 15-16 and Figure 3 "the POTS splitter...includes a high-pass filter...and a low-pass filter...to separate the different frequency signals"), broadband connected to high frequency port and narrowband connected to low frequency port (Pg.7 lines 16-

18 "The high-pass filter...separates the high-speed data...to splitter output/input and the low-pass filter...separates the lower speed POTS signals to output/input"), and broadband and narrowband access means comprising a number of user interfaces (Pg. 3 lines 26-30 "lower speed POTS signals are distributed thought the customer premises on the wireless distribution system....[where] the wireless system may also have multiple channels to provide additional POTS signals and distribute lower speed data" Pg. 4 lines 11-12 "the high-speed data is available at outlets throughout the customer premises for connection to computers, computer peripherals, and video display).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gorman in view of Biedermann (US 6,389,292).

As discussed above, Gorman discloses all the limitations of the claims.

Gorman does not disclose a narrowband access means comprising a DECT base stations.

Biedermann discloses a DECT base station (Col.1 lines 18-23 "the message transmission...ensues wirelessly on the basis of various message transmission methods...according to radio standards such as DECT").

Gorman suggest having cordless operation (Pg.4 line 6 "the wireless distribution system also provides cordless operation"), which DECT is an implementation of.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gorman to use a narrowband access means comprising a DECT base station as taught by Biedermann in order to have a commonly accessible wireless network.

7. Claims 13-17,21-24, 29, and 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gorman in view of Bingel (US 6,826,265).

Re claims 13-17, 21, and 22

Re claim 17:

Gorman discloses all the limitations of the claims.

Gorman does not disclose a broadband and narrowband access means enclosed in a common entity with a splitter filter.

Bingel discloses a splitter filter detachably connected to at least one jack (Col. 1 lines 50-52 "the POTS splitter is installed between a telephone jack and the telephone itself and is also connected to a DSL device").

Gorman and Bingel both pertain to splitter filters and those are analogous in art.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gorman to include a splitter filter that is detachably connected to at least one jack as taught by Bingel in order to increase the portability of the splitter and reduce the complexity of installation.

Re claims 13-16, 21-24, 29, and 30:

Gorman in view of Bingel meets all the limitations of the claims.

Gorman in view of Bingel does not disclose variations in the embodiments of the devices.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have different variations in the embodiment of the integration of the splitter and broadband and narrowband access means and user interfaces in order to reduce production costs, save space, and reduce the complexity of installation of the devices.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cheng (US 6,456,650) shows a separate filter and broadband and narrowband access means. Pai (US 6,711,138) shows a router allowing access to high-speed Internet and a home phone line network and a device that includes broadband and narrowband access means. Sun (US 6,285,754) shows splitting a splitting a high frequency signal from a low frequency signal.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad S. Adhami whose telephone number is (571)272-8615. The examiner can normally be reached on Monday-Friday 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571)272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MSA 8/8/2005

  
**JOHN PEZZLO**  
**PRIMARY EXAMINER**